

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHTONE DESIGN GROUP, LLC

Plaintiff,

v.

Mary Sullivan KELLY and TRUE PILATES
BOSTON LLC

Defendants/Counter-Plaintiffs/
Third-Party Plaintiff

v.

RICHTONE DESIGN GROUP, LLC
and Sean GALLAGHER

Counter-Defendant and
Third-Party Defendant

Case No. 7:22-cv-01606-KMK-AEK

PLAINTIFF'S SECOND SET OF
REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS

Pursuant to Rule 34 of the Federal Rules of Civil Procedure and Local Civil Rule 26.3, Plaintiffs/Counter-Defendant/Third-Party Defendant hereby request that Defendants/Counter-Plaintiffs/Third-Party Plaintiff produce the documents and tangible things requested below within thirty (30) days after service hereof by sending such answers to the following email addresses of Plaintiff's counsel, Gearhart Law: david@gearhartlaw.com and james@gearhartlaw.com, or, with respect to tangible things and other matter that cannot practicably be reproduced or copied, make the same available for inspection within thirty (30) days of service hereof.

Definitions

Pursuant to Local Civil Rule 26.3, the full text of the definitions and rules of construction set forth in paragraphs (c) and (d) therein is deemed incorporated by reference into these Interrogatories.

Furthermore, as used in these Requests for Production,

"You" means Defendants, Defendants' Principals, Defendants' in house counsel, Mary Kelly, True Pilates Boston, LLC, and any employee of Mary Kelly or True Pilates Boston, LLC

“Defendant’s Counsel” means Gordon Troy, P.C., and any and all of his legal employees or law partners.

“This Case” means the present case, Richtone Design Group LLC v. Mary Sullivan Kelly 7:22-cv-01606-KMK-AEK.

“Pilates Transparency Project” means the Instagram account found at <https://www.instagram.com/pilates Transparency Project/?hl=en>.

REQUESTS FOR PRODUCTION

Supplemental Request for Production No. 73: Produce any and all correspondence between Mary Kelly/True Pilates and Christina Maria Gadar.

Supplemental Request for Production No. 74: Produce any and all correspondence between Mary Kelly/True Pilates and Heather Erdman.

Supplemental Request for Production No. 75: Produce any and all correspondence between Mary Kelly/True Pilates and Hila Paldi.

Supplemental Request for Production No. 76: Produce any and all correspondence between Mary Kelly/True Pilates and IC Rapaport.

Supplemental Request for Production No. 77: Produce any and all correspondence between Mary Kelly/True Pilates and Victoria Batha Cuomo.

Supplemental Request for Production No. 78: Produce any and all correspondence between Defendant’s Counsel and/or Lawrence Stanley and Christine Maria Gadar.

Supplemental Request for Production No. 79: Produce any and all correspondence between Defendant’s Counsel and/or Lawrence Stanley and Heather Erdman.

Supplemental Request for Production No. 80: Produce any and all correspondence between Defendant’s Counsel and/or Lawrence Stanley and Hila Paldi.

Supplemental Request for Production No. 81: Produce any and all correspondence between Defendant’s Counsel and/or Lawrence Stanley and IC Rapaport.

Supplemental Request for Production No. 82: Produce any and all correspondence between Defendant’s Counsel and/or Lawrence Stanley and Victoria Batha Cuomo.

Supplemental Request for Production No. 83: Produce all drafts of the declaration submitted by Christine Maria Gadar.

Supplemental Request for Production No. 84: Produce all drafts of the declaration submitted by Heather Erdman.

Supplemental Request for Production No. 85: Produce all drafts of the declaration submitted by Hila Paldi.

Supplemental Request for Production No. 86: Produce all drafts of the declaration submitted by IC Rapaport.

Supplemental Request for Production No. 87: Produce all drafts of the declaration submitted by Victoria Batha Cuomo.

Supplemental Request for Production No. 88: Provide any documents or things that evidence the belief or allegation that Sean Gallagher concealed true copyright information on any photographs at issue in this case.

Supplemental Request for Production No. 89: Provide any documents or things that evidence the belief or allegation that Sean Gallagher made any Digital Millenium Copyright Act claims on any Instagram Accounts.

Supplemental Request for Production No. 90: Provide any documents or things that evidence financial losses that came about as a result of the removal of any of Instagram pages.

Supplemental Request for Production No. 91: Provide any correspondence between You and Alycea Ungaro.

Supplemental Request for Production No. 92: Provide any correspondence between You and Ann Vachon.

Supplemental Request for Production No. 93: Provide any documents or things that show ownership or control of the Pilates Transparency Project.

Dated: March 17, 2023

For Plaintiff:

/s/ /David Postolski/

David D. Postolski
Gearhart Law LLC
41 River Road, Summit, NJ 07901

david@gearhartlaw.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 17, 2023, I have caused the foregoing document to be served upon counsel for Defendant as identified below via email at their email addresses below:

Gordon E. R. Troy, Esq.
Gordon E. R. Troy, PC
P.O. Box 67
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*Attorneys for Defendants/Counter- Plaintiffs/Third-Party Plaintiffs Mary Kelly and True Pilates
Boston, LLC*

/s/ /David Postolski/

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Attorneys for Plaintiff